

SAO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

MIDDLE

District of

ALABAMA (Northern Division)

U.S. Beverage, Inc.

SUMMONS IN A CIVIL ACTION

V.

John Buster Walker, II; and  
Trident Marketing, Inc.

CASE NUMBER: 2:06-CV-496-SRW

TO: (Name and address of Defendant)

Mr. Grady Kittrell  
7237 Heathermore Loop  
Montgomery, AL 36117

(counterclaim third party defendant)

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Raymond L. Jackson, Jr.  
Attorney & Counsellor at Law, P.C.  
P.O. Box 3575  
Auburn, AL 36831-3575

(Attorney for Counterclaim Plaintiffs John Walker & Trident Marketing,  
Inc.)

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

*Debra F. Hackett*

CLERK

*Ben R. W. Jr.*

(By) DEPUTY CLERK

*6/26/2006*

DATE

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RETURN OF SERVICE		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE <u>June 27, 2006</u>	
NAME OF SERVER (PRINT) <u>Harry L. McElwee</u>	TITLE <u>Process Server</u>	
Check one box below to indicate appropriate method of service		
<input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: <u>844 Lagoon Commercial Blvd. Montgomery, AL.</u>		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:		
<input type="checkbox"/> Returned unexecuted:		
<input type="checkbox"/> Other (specify):		
STATEMENT OF SERVICE FEES		
TRAVEL <u><del>60.00</del> 60.14</u>	SERVICES <u>\$ 75.00</u>	TOTAL <u><del>\$ 00.00</del> 135.14</u>
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p>		
Executed on <u>6-27-2006</u> <span style="margin-left: 100px;"><u>Harry L. McElwee</u></span> <div style="display: flex; justify-content: space-between;"> <span>Date</span> <span>Signature of Server</span> </div>		
<div style="text-align: right; margin-right: 50px;"> <u>1405 43rd Street</u>            Address of Server <u>Phoenix City, AL. 36867</u> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure